IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3840 OF 2005
IN
CRI. APPEAL NO. OF 2005
IN
Sessions Case No. 1990 of 1994

Sunil Yeshwant Bandekar .. Applicant.

V/s.

State of Maharashtra .. Respondent.

Mr. Rakesh Kumar i/by Adv. Legal Vision for the Applicant.

Mrs. A.S. Pai, Addl.P.P. for the Respondent State.

CORAM : D. G. DESHPANDE
S. A. BOBDE, JJ.

DATED : 02nd AUGUST, 2006.

P.C.:

1. Heard. This is an application for leave to Appeal. The applicant is an accused, who was tried for offences punishable under section 302 and 201 of the I.P.C.. He was acquitted by the Sessions Court, Greater Bombay; even then he has filed the Appeal, seeking leave of the court to challenge the order of his acquittal on the ground that he applied to the trial court for action under section 340 against certain witnesses, but the learned Magistrate refused to entertain that application. We repeatedly asked the learned Advocate for the Applicant to show some

provisions under which the accused can challenge his own acquittal only for the purpose of seeking different finding on re-appreciation of the evidence by this court. He could not satisfy us. Hence, leave to appeal is refused.

2. The Criminal Application is rejected. Appeal is dismissed.

(D.G.DESHPANDE,J)

(S.A. BOBDE, J)